

# **MINUTES**

## **BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS**

**DATE:** December 7, 2009

**PLACE:** Department of Business Regulation (DBR)  
1511 Pontiac Avenue, Bldg 68-1 Conference Room  
Cranston, RI 02920

**MEMBERS PRESENT:** Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member

**MEMBERS ABSENT:** Christian J. Ladds, Member

**OTHERS PRESENT:** Richard W. Bernstein, DBR Executive Counsel  
Brian J. Riggs, DBR Department Budget Administrator  
Dawne Broadfield, Board Executive

**CALLED TO ORDER:** Chair Yoder called the meeting to order at 1:13 p.m.

to commence Board business and noted for the record that this meeting today was rescheduled from the regular meeting of December 14, 2009 and that all required notices and related matters for this meeting were in compliance.

John K. Grosvenor came at 1:20 p.m.

## **MINUTES OF THE MEETING OF THE BOARD**

**(1) Vice-Chair Prengaman moved to approve the open meeting minutes of November 9, 2009 as published. Secretary Feibelman seconded. The motion carried, three in favor, two absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; and Barbara Feibelman, Secretary. John K. Grosvenor, Member, and Christian J. Ladds, Member, were absent from this vote.**

**(2) Vice-Chair Prengaman moved to approve and seal the executive session meeting minutes of the November 9, 2009 as published. Secretary Feibelman seconded. The motion carried, three in favor, two absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; and Barbara Feibelman, Secretary. John K. Grosvenor, Member, and Christian J. Ladds, Member, were absent from this vote.**

## **EXECUTIVE SESSION**

**(1) Secretary Feibelman moved to convene into executive session at 1:14 p.m. pursuant to RI General Laws, §42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Vice-Chair Prengaman seconded. The motion carried, three in favor, two absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; and Barbara Feibelman, Secretary. John K. Grosvenor, Member and Christian J.**

**Ladds, Member, were absent from this vote.**

**(2) Secretary Feibelman moved to adjourn from executive session and to reconvene to an open meeting at 3:19 p.m. pursuant to R.I.G.L. §42-46-4. Mr. Grosvenor seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

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**(3) Secretary Feibelman moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Mr. Grosvenor seconded. Motion carried to close G-Lab Architecture; Kiernan Quinn vs. Lerner/Ladds & Bartels, Inc.; and Robert Carrick. Four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

**(4) Secretary Feibelman moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Mr. Grosvenor seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K.**

**Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

## **OLD BUSINESS**

### **(1) Record Retention Schedule**

**DBR Attorney Neena Savage submitted a “draft” Design Professionals record retention schedule to the Boards and the Rhode Island Secretary of State’s office for review and clearance. Secretary Feibelman moved to continue. Vice-Chair Prengaman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

### **(2) Future Law Changes Governing “Architects”**

- Imposition of fines for unregistered activity**

**Attorney Bernstein addressed the position of “penalties for unregistered activity” and advised that he met with the DBR Director who decided that if one Board is going to introduce this legislation, then all of the Boards were going to introduce the same legislation. Therefore, there will be one statutory amendment in the Public Law that created the Division of Design Professionals under the DBR. A new subsection (5) will be added under Public Law 2008, Chapter 100,**

**Article 9 Substitute A, Section 13 and that the word “fines” be replaced with “administrative penalties” in all places of the language.**

**Vice-Chair Prengaman moved to endorse this language and asked that it be presented to the other Boards for introduction. Secretary Feibelman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

- **“Housekeeping” Changes**

**Mrs. Broadfield will forward the document to Attorney Berstein who will then discuss these changes with the DBR Director and then forward to the Governor’s Office.**

**(3) Annual Meeting with the Building Officials and the State Building Code Commissioner**

- **Plan for Spring 2010 Meeting.**

**The Annual Meeting has been scheduled before the State Building Code Commission on March 31, 2010 at 1:00 p.m. at the Department of Administration, One Capitol Hill, 2nd Floor, Conference Room A, Providence, RI 02908, in order for the Board to express the importance of architectural stamps and the requirement of the Certificate of Authorization (COA) for the firm. Therefore, Secretary**

**Feibelman moved to continue. Mr. Grosvenor seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

## **BLUE BOOKS (RECIPROCITY)**

**(A) Secretary Feibelman moved to approve the following Blue Books as submitted with an expiration date of December 31, 2011. Mr. Grosvenor seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

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- (1) AMENTA, ANTHONY J. (6) HOOVER, JEFFREY M.**
- (2) BLAND, FREDERICK A. (7) MUNN, JEREMY**
- (3) EVERNHAM, KEVIN T. (8) POWERS, THOMAS E.**
- (4) FORTUNA, MICHAEL PAUL (9) WALSH, JOHN CHRISTOPHER**
- (5) GUEVREMONT, WILLIAM T.**

## **GREEN BOOK (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)**

**(A) The National Council of Architectural Registration Boards (NCARB) entered the candidate, Andrew Paul Kizlinski into the**

**Architectural Registration Examination® (ARE®) under the “NCARB Direct Eligibility” program in August 2008 when the Rhode Island Board participated in that program. The Rhode Island Board never received the NCARB transmittal when it was transmitted in August 2008. Therefore, when an ARE® Score Report was received, the Rhode Island Board could not release the ARE® Score Report since it did not have a file for this candidate. After notification by this Board, NCARB transmitted the file on November 25, 2009.**

**After review, Secretary Feibelman moved to approve the Green Book for Andrew Paul Kizlinski as submitted in order to release the ARE® Score Report. Vice-Chair Prengaman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

## **CERTIFICATES OF AUTHORIZATION (COA) APPLICATIONS (See Attached List)**

**(A) Secretary Feibelman moved to approve the applications for the Certificates of Authorization for the Sole Proprietorships for MK Associates; Charles A. Richards and John Scanlon as submitted. Vice-Chair Prengaman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R.**

**Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

**(B) Secretary Feibelman moved to approve the application for the Certificate of Authorization for the Limited Liability Company for DMR Architecture PLLC as submitted. Vice-Chair Prengaman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

**(C) Secretary Feibelman moved to approve the applications for the Certificates of Authorization for the Corporations for Krech, O'Brien, Mueller & Associates, Inc. and PFDA Architects, Inc. as submitted. Vice-Chair Prengaman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

**(D) Secretary Feibelman moved to approve the application for the Certificate of Authorization for the Partnership for Richard R. Jencen Associates as submitted after noting that company name lists the name of Richard R. Jencen, who is the former architect/owner of the firm, which is allowed according to the Board's Rules and**



**Regulations. Mr. Grosvenor seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

**(E) Secretary Feibelman moved to approve the renewal application for the Certificate of Authorization for the Sole Proprietorship, #A-10,702, for Knute T. Haglund IV after receipt of \$25 correction fee payment. Vice-Chair Prengaman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds, Member, was absent from this vote.**

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**(F) After discussion, it was decided that if Halliwell Engineering Associates, Inc. hires a Rhode Islander, then the Board is satisfied. If they do not hire a Rhode Islander, the Board wants to know how they will manage the project for a two-year period. Secretary Feibelman moved that the Board approve the Certificate of Authorization application for the Corporation for Halliwell Engineering Associates, Inc. with the stipulations described previously. Vice-Chair Prengaman seconded. Mr. Grosvenor recused himself from**

participation and left the room at 3:42 p.m. and returned at 3:48 p.m. The motion carried, three in favor, two absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; and Barbara Feibelman, Secretary. John K. Grosvenor, Member, was recused from this vote and Christian J. Ladds was absent from this vote.

(G) Secretary. Feibelman moved to approve the Change in Responsible Control removing A. Anthony Tappe and adding Jeffrey M. Hoover for the application for Certificate of Authorization for the Corporation for Tappe Associates, Inc., #A-14,297, as submitted. Vice-Chair Prengaman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds was absent from this vote.

## **NEW BUSINESS**

(1) General Discussion Complaints – Guidance for Types of Complaints where the Board has Primary Jurisdiction.

After discussion, Secretary Feibelman moved to close. Mr. Grosvenor seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds was absent from this vote.

## **(2) Allowing a Exam Candidate to Begin Taking the Architectural Registration Examination® 4.0 (ARE® 4.0) Before Completion of the Intern Development Program (IDP)**

**After receiving guidance from the National Council of Architectural Registration Boards (NCARB) Legal Counsel, Daniel Taylor, the Board has amended its Rules and Regulations to allow an exam candidate to begin taking the ARE® 4.0 before completion of IDP. The Board is now requesting to submit proposed legislation to make this change its existing law.**

## **ADJOURNMENT**

**Vice-Chair Yoder announced that the next meeting of the Board is scheduled for January 19, 2010 at 1:00 p.m. at the DBR, The John O. Pastore Center, 1511 Pontiac Avenue, Conference Room 69-1, Cranston, RI 02920. Vice-Chair Prengaman moved to adjourn the meeting at 4:02 p.m. Secretary Feibelman seconded. The motion carried, four in favor, one absent. Voting in favor were Wilbur E. Yoder, Chair; David R. Prengaman, Vice-Chair; Barbara Feibelman, Secretary; and John K. Grosvenor, Member. Christian J. Ladds was absent from this vote.**

**Respectfully submitted,**

**Barbara Feibelman, AIA**  
**Secretary**

**BF/dmb**

• **Posted on January 20, 2010, electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.**

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**C. O. A. APPLICATIONS**

**Board Meeting of DECEMBER 7, 2009**

**SOLE PROPRIETORSHIPS**

**KNUTE T. HADLUND, IV APPROVED – PENDING RECEIPT OF THE \$25**

**A-10,702 – Renewal Application Rec'd lat on 04/06/09 CORRECTION FEE – 10/19/09**

**without late fee – Had to Return Application for Late Fee 11/02/09 –**

**TO DATE, WAITING FOR \$25 CORRECTION**

**which also Required a Correction Fee since the Application FEE  
was Returned – Questioning with he has to pay a Correction  
Fee 11/09/09 – NO RESPONSE – CONTINUE.**

**11/24/09 – Correction fee Received. 12/07/09 – APPROVED.**

**MK ASSOCIATES \$100. APPROVED – 12/07/09**

**CHARLES A. RICHARDS - 0 - APPROVED – 12/07/09**

**JOHN SCANLON - 0 - APPROVED – 12/07/09**

**LIMITED LIABILITY COMPANY**

**DMR ARCHITECTURE PLLC \$100. APPROVED – 12/07/09**

**PARTNERSHIP**

**RICHARD R. JENCEN ASSOCIATES \$100. APPROVED – 12/07/09 –  
COMPANY NAME LISTS THE NAME OF THE FORMER  
ARCHITECT/OWNER OF THE FIRM WHICH IS ALLOWED ACCORDING**

**TO THE BOARD'S RULES AND REGULATIONS.**

**CORPORATIONS**

**HALLIWELL ENGINEERING ASSOCIATES, INC. \$100. VOTE DEFERED  
– 11/09/09**

**APPROVED – 12/07/09**

**WITH STIPULATION THAT IF A RHODE ISLANDER IS HIRED, THE  
BOARD WOULD BE SATISFIED. IF NOT THEN THE BOARD WANTS  
TO KNOW HOW THEY WILL MANAGE THE PROJECT FOR A  
TWO-YEAR PERIOD.**

**KRECH, O'BRIEN, MUELLER & ASSOCIATES, INC. \$100. APPROVED  
– 12/07/09**

**PFDA ARCHITECTS, INC. \$100. APPROVED – 12/07/09**

**TAPPE ASSOCIATES, INC. - 0 –**

**A-14,297 – Change in Responsible Control**

**Removing A. Anthony Tappe and**

**Adding Jeffrey M. Hoover**

**12/07/09**

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